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Examiner: P. VRETTAKOS
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Matthew J. Golden

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Application No. 10/643,301
In Re Application H. Howlett *et al.*
Filed: 08/19/2003
For: Cryosurgery Device
Attorney Docket No.: FC06070-01

Dear Sir/Madam:

Transmitted herewith are:

- Transmittal Form (sb21) - 1 page
- Declaration of Express Abandonment per 37 CFR 1.138 - 1 page
- Certificate of Fax Transmission (sb97) - 1 page
- Fax Cover Page - 1 page


Matthew J. Golden

Patent Director, Reg. No. 35,161

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Docket Number: FC06070-01
Application No: 10/643301
Filing Date: 08/19/2003
First Inventor: HOWLETT, Harold A.

PTO/SB/97 (09-04)
Approved for use through 07/31/2008. OMB 0651-0031
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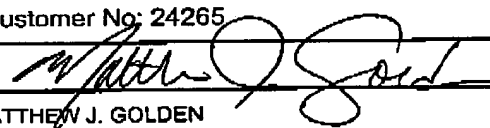
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/643301
	Filing Date	08/19/2003
	First Named Inventor	HOWLETT, Harold A.
	Art Unit	
	Examiner Name	T. Vrettakos
	Attorney Docket Number	FC06070-01
Total Number of Pages in This Submission	4	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Declaration of Express Abandonment per 37 CFR 1.138 - 1 page
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
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Printed name	MATTHEW J. GOLDEN		
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Patent Case: FC06070 01US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

H. Howlett et al.

Serial No.: 10/643,301

Filed: 08/19/2003

For: "CRYOSURGERY DEVICE"

Examiner: P. Vrettakos

Group Art Unit:

Date: October 11, 2005

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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450**DECLARATION OF EXPRESS ABANDONMENT PER 37 C.F.R. §1.138**

Sir:

Applicants hereby expressly abandon the above-identified application per 37 C.F.R. §1.138 in favor of continuation-in-part application U.S. Application Serial No. 11/222,353, filed September 8, 2005. Applicants have not yet received the Official Filing Receipt for U. S. Application Serial No. 11/222,353 and request that the abandonment be entered upon completion of formalities for that application.

October 11, 2005
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Respectfully submitted,


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